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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

ELAINE BALBIN GATERS, ET AL., )

Plaintiffs, )

v. )

NEW CENTURY MORTGAGE )  
CORPORATION, ET AL., )

Defendants. )  
\_\_\_\_\_ )

Case No.: C 09-01913 PVT

**ORDER SETTING DEADLINE FOR PARTIES  
TO FILE EITHER A “CONSENT TO  
PROCEED BEFORE A UNITED STATES  
MAGISTRATE JUDGE,” OR ELSE A  
“DECLINATION TO PROCEED BEFORE A  
UNITED STATES MAGISTRATE JUDGE AND  
REQUEST FOR REASSIGNMENT”**

On May 13, 2009, defendants Carrington Mortgage Services, LLC, Carrington Recovery Services, LLC and Atlantic & Pacific Foreclosure Services, LLC filed a motion to dismiss pursuant to Rule 12(b)(6). This case has been assigned to a Magistrate Judge. Before the court takes any action on the above-specified motion, the court must determine whether or not all of the parties who have appeared consent to Magistrate Judge jurisdiction, or whether any of the parties request reassignment to a District Judge. Therefore,

IT IS HEREBY ORDERED that no later than May 22, 2009, each party who has not already done so shall file either a “Consent to Proceed Before a United States Magistrate Judge,” or else a “Declination to Proceed Before a United States Magistrate Judge and Request for Reassignment.” Both forms are available from the clerk of the court, or from the Forms (Civil) section of the court’s

1 website at [www.cand.uscourts.gov](http://www.cand.uscourts.gov).

2 Dated: May 14, 2009



3 PATRICIA V. TRUMBULL  
4 United States Magistrate Judge  
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